



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

Promoting the wise use of land

MEETING DATE May 15, 2015	CONTACT/PHONE Airlin M. Singewald (805) 781-5198	APPLICANT Chevron U.S.A. Inc.	FILE NO. COAL14-0007 SUB2013-00053
SUBJECT Request by CHEVRON U.S.A. Inc. for a Lot Line Adjustment (COAL14-0007) to adjust the lot lines between four parcels of 10.5, 31.2, 83.3, and 552.6 acres. The adjustment will result in four new parcels of 129.3, 143, 201.2, and 204.1 acres. The adjustment proposes building restriction areas for development to avoid prime agricultural soils, steep slopes, and environmentally sensitive areas. The proposed project is within the Agriculture land use category and is located on Toro Creek Road, approximately 1 mile east of Highway 1, between Morro Bay and Cayucos. The site is in the Adelaida planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL14-0007 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA [State CEQA Guidelines Section 15061(b)(3)].			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard; Geologic Study Area	ASSESSOR PARCEL NUMBER 073-092-050 073-092-031 073-092-003 (Portion) 073-077-034 (Portion)	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: Lot Line Adjustments (Real Property Division Ordinance Section 21.02.030)			
EXISTING USES: Agricultural uses and a single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/ undeveloped <i>South:</i> Agriculture/ undeveloped, rural residences <i>East:</i> Agriculture/ undeveloped, rural residences <i>West:</i> Agriculture / undeveloped, rural residences, agriculture			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Agricultural Commissioner, Air Pollution Control District, Environmental Health, Cal Trans, Cal Fire, Regional Water Quality Control Board, and California Department of Fish and Wildlife	
TOPOGRAPHY: Relatively level to steeply sloping	VEGETATION: Crops, grasslands, oaks (in drainages)
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: December 3, 2014

PROJECT OVERVIEW

The applicant is proposing to adjust the lot lines between four parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
10.5	129.3
31.2	143
83.3	201.2
552.6	204.1

The applicant's stated purpose for the adjustment is to equalize the acreage between the four lots and more closely align the adjusted lot boundaries with topographic features to provide more usable land in each parcel.

The existing parcels are designated Agriculture. They are mostly undeveloped and all are under agricultural leases for grazing or other agricultural uses. Existing Parcel 1 has an existing residence with outbuildings and barns.

The four parcels have a total of 39.7 acres classified as "prime agricultural soils if irrigated." The size of these areas varies on each parcel, ranging from 0.4 to 18.6 acres. There are also 31.2 acres total of "farmland of statewide importance" on two of the parcels. All of these areas are located in the low-lying lands adjacent to Toro Creek. The remaining 605.5 acres of the property is used as grazing land.

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the County's zoning and building ordinances.

Based on the existing agricultural uses, the minimum parcel size (based on current subdivision standards) for the existing parcels would be 320 acres. Although the existing 552.6 acre parcel meets the 320-acre minimum, due to steep topography and rocky terrain, it would not be considered a viable rangeland parcel. The other three existing parcels fall well below the 320-

acre parcel size, and the smaller two parcels (10.5 and 31.2 acres) are below the smallest allowable parcel size (40 acres) in the Agriculture land use category. After the adjustment, all four parcels would be within the 40 to 320 acre range of parcel sizes set forth in the Agriculture land use category and each new parcel would contain both grazing and farmland areas. Therefore, the proposed parcels resulting from the adjustment would maintain an equal position relative to the County's zoning and building ordinance.

The County Department of Agriculture also considers the proposal to be equal to the existing parcel configuration in terms of agricultural resources.

Senate Bill (SB) 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. After the adjustment, all four parcels would be within the 40 to 320 acre range of parcel sizes set forth in the Agriculture land use category and each new parcel would contain both grazing and farmland areas. Staff has concluded that the proposed adjustment is equal to or better than the existing lot line situation and is also consistent with both state and local law.

CEQA Exemption

This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. This determination is based on the following:

- i. The lot line adjustment will not result in any direct change to existing environmental conditions.
- ii. Pursuant to the attached Building Restricted Areas Map, future development on the resulting parcels would be required to avoid the following areas: mapped environmentally sensitive areas, areas with slopes greater than 30 percent, areas within 100 feet of Toro Creek, areas within 25 feet of any perineal stream, and areas with prime agricultural soils.
- iii. Future development would be required to submit a Phase I archaeological survey of all areas where site disturbance is proposed and to implement the recommendations of the archaeological survey.

Senate Bill (SB) 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. While parcels 2 (231 acres) and 3 (60 acres) are below the minimum parcel size of 320 acres as set forth in the General Plan based on the land capability and use test, they are closer to the minimum parcel size than the five existing substandard parcels. As a result, staff has concluded that the adjustment is consistent with both state and local law.

AGENCY REVIEW:

Public Works – “Recommend approval” (Doug Rion; March 14, 2014)

Agriculture Department – “Based on the unique combination of topography and rock outcrop complex soils, the Agriculture Department considers the proposal to be equal to the existing parcel configuration in terms of agricultural resources. This determination is based on a comparison of the proposed and existing parcels when considering potential long-term impacts to agricultural resources and operations.” (Lynda Auchinachie; November 24, 2014)

Environmental Health – “No comment as long as any water source or septic system remains on the parcel served.” (Leslie Terry; March 19, 2014)

LEGAL LOT STATUS:

The 4 existing lots were legally created by deed or subdivision at a time when that was a legal method of creating lots.

Staff report prepared by Airlin M. Singewald and reviewed by Terry Wahler.